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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/023,085

12/17/2001

Judith F.M. Masthoff

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03/14/2005

EXAMINER

ROSWELL, MICHAEL

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,085

Applicant(s)

MASTHOFF, JUDITH F.M.

Examiner

Michael Roswell

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 1 and 13 are objected to because of the following informalities: the claims recite the limitation "subject mage", each instance of which the examiner will interpret as "subject image". Appropriate correction is required. As a result, depending claims have also been objected to.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 8-10, 13, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Roy et al (US Patent 5,966,135), hereinafter Roy.

1. Regarding claim 1, Roy teaches displaying a subject image (taught as the display of a map within a browser, at col. 11, lines 31-45), displaying an enlargement of the subject image in response to a user selecting a point on the subject image and displaying on that enlargement that point selected by the user (taught as the ability of the user to zoom in around a selected point on the map, at col. 13, lines 25-29), and returning a point previously selected by the user as displayed on an enlargement of the subject image as a first co-ordinate parameter (taught as

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the selection of "map objects" through user clicks, at col. 13, lines 41-46, which may be defined in co-ordinate values or longitude/latitude values, at col. 19, lines 16-17).

2. Regarding claim 3, Roy teaches displaying a further enlargement of a previous enlargement of the subject image in response to a user selecting a point on that previous enlargement, taught as the ability to zoom through differing zoom levels, at col. 13, lines 25-29 and 41-44.

3. Regarding claim 4, Roy teaches displaying an enlargement of the subject image in response to a user selecting a point on that subject image displayed centered about that point selected by the user, taught as the ability to zoom in around a selected point, at col. 13, lined 25-29.

4. Regarding claim 5, Roy teaches displaying a reduction of a previous enlargement of the subject image in the same scale as the subject image prior to enlargement, taught as the return to a previous zoom level, at col. 13, lines 41-44.

5. Regarding claim 6, Roy teaches returning a further point selected by the user as a second co-ordinate parameter, taught as the choosing of multiple map objects, at col. 12, lines 54-56.

6. Regarding claims 8-10, Roy teaches a computer program comprising instructions, computer-readable storage medium having data representing instructions, and an apparatus having a display, a processor, and a user input device, all for displaying a subject, displaying an

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enlargement of the subject image in response to a user selecting a point on the subject image and displaying on that enlargement that point selected by the user, and returning a point previously selected by the user as displayed on an enlargement of the subject image as a first co-ordinate parameter, at col. 3, lines 62-67 through col. 4, lines 1-56.

7. Regarding claim 13, Roy teaches displaying a subject image (taught as the display of a map within a browser, at col. 11, lines 31-45), displaying an enlargement of the subject image in response to a user selecting a point on the subject image and displaying on that enlargement that point selected by the user (taught as the ability of the user to zoom in around a selected point on the map, at col. 13, lines 25-29), and identifying a point previously selected by the user as displayed on an enlargement of the subject image as a first co-ordinate parameter (taught as the selection of "map objects" through user clicks, at col. 13, lines 41-46, which may be defined in co-ordinate values or longitude/latitude values, at col. 19, lines 16-17).

8. Regarding claim 15, Roy teaches displaying a further enlargement of a previous enlargement of the subject image in response to a user selecting a point on that previous enlargement, taught as the ability to zoom through differing zoom levels, at col. 13, lines 25-29 and 41-44.

9. Regarding claim 16, Roy teaches displaying an enlargement of the subject image in response to a user selecting a point on that subject image displayed centered about that point selected by the user, taught as the ability to zoom in around a selected point, at col. 13, lined 25-29.

10. Regarding claim 17, Roy teaches returning a further point selected by the user as a second co-ordinate parameter, taught as the choosing of multiple map objects, at col. 12, lines 54-56.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy and Smith (UK Application GB 2,344,037, as cited in the previous Office Action).

11. Regarding claims 2 and 14, Roy teaches returning a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate parameter (taught as the selection of "map objects" through user clicks, at col. 13, lines 41-46, which may be defined in co-ordinate values or longitude/latitude values, at col. 19, lines 16-17), and displaying a reduction of a previous enlargement of the subject image (taught as the return to a previous zoom level, at col. 13, lines 41-44).

However, Roy fails to explicitly teach returning a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate and displaying a reduction of a previous enlargement of the subject image in response to a single user input.

Smith teaches a graphical application that displays subject images and enlarges the subject image in response to user action, similar to the method of Roy. Furthermore, Smith teaches returning a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate and displaying a reduction of a

previous enlargement of the subject image in response to a single user input, taught as the return to an original scale in response to the selection of a first point in a line, at page 5, lines 31-37.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roy and Smith before him at the time the invention was made to modify the returning of a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate and displaying a reduction of a previous enlargement of the subject image with the single input trigger of Smith, in order to obtain a graphical application that returns point co-ordinates and the display to the original scale in response to a single user input.

One would be motivated to make such a combination for the advantage of more precise selection of a point provided by an enlarged view. See Smith, page 5, lines 39-43.

Claims 7, 11, 12, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy and Boyce et al (US Patent 6,459,986), hereinafter Boyce.

12. Regarding claims 7 and 18, Roy teaches returning a first co-ordinate parameter and a further point selected by the user as a second co-ordinate parameter, taught as the choosing of multiple map objects, at col. 12, lines 54-56.

However, while Roy discloses viewing the distance between any two points on a map picture (col. 12, lines 10-13), Roy fails to explicitly teach performing a calculation to determine the distance between the first and second co-ordinate parameters.

Boyce teaches a routing system for use with maps, as those disclosed in Roy. Furthermore, Boyce teaches a method for performing a calculation to determine the distance between the first and second co-ordinate parameters, at col. 4, lines 18-22.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roy and Boyce before him at the time the invention was made to modify the scalable map display with point-selection means of Roy with the first and second co-ordinate distance calculating of Boyce in order to obtain a scalable map display wherein the distance between selectable points may be calculated.

One would be motivated to make such a combination for the obvious advantage of displaying pertinent information to a user, or assisting the routing system of Boyce in finding the most suitable route between selected points. See Boyce, col. 4, lines 18-22.

13. Regarding claims 11, 12, 19, and 20, Boyce teaches determining distances between first and second co-ordinate parameters that are not straight line distances but instead are actual distances that can be traversed to connect the first and second co-ordinate parameters, the actual distance including at least one permissible travel route between the points, taught as the generation of a route over travelable roads between a user-selected starting point and destination point, at col. 3, lines 14-20, 28-31, and col. 4, lines 14-22.

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
3/9/2005


JOHN CABECA
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